

Bill To R- 74-03-10

Resolution No. R-13-79

RESOLUTION OF THE FORT WAYNE ECONOMIC  
DEVELOPMENT COMMISSION, FORT WAYNE, INDIANA AND THE COMMON  
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA MARCH 13, 1979

WHEREAS, the City of Fort Wayne, Indiana (the Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, St. Joseph Medical Building Associates (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be a 52,500 square foot garage and medical office building, and equipment to be installed therein, for the medical office building to be located on the entire block bounded on the north by Berry Street, on the south by Wayne Street, on the east by Broadway, and on the west by Van Buren, in Fort Wayne, Indiana.

WHEREAS, the St. Joseph Medical Building Associates, a limited partnership, will guarantee all bond payments, if necessary; and

WHEREAS, the diversification of economic development and increase in job opportunities, 75 new jobs to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana, and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed \$5,500,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and

equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Adopted this 13th day of March, 1979.

CITY OF FORT WAYNE

Virvan A. Schmidt  
Councilman

(Seal)

ATTEST

Charles H. Belterman  
Clerk

APPROVED AND FOR  
AND LEGALITY,  
[Signature]  
CITY ATTORNEY

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by O. Schmidt, seconded by J. G. G. G., and duly adopted, placed on its passage.

PASSED (~~LOSS~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>0</u>	<u>      </u>	<u>3</u>	<u>      </u>
<u>BURNS</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>HINGA</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>X</u>	<u>      </u>
<u>HUNTER</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>MOSES</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>NUCKOLS</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>X</u>	<u>      </u>
<u>SCHMIDT, D.</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>X</u>	<u>      </u>
<u>SCHMIDT, V.</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>STIER</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>TALARICO</u>	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

DATE: 3-13-79

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. B-13-79 on the 13th day of March, 1979.  
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1979, at the hour of 11:20 o'clock A M., E.S.T.

CITY CLERK

Approved and signed by me this 19th day of March, 1979, at the hour of 11 o'clock \_\_\_\_\_ M., E.S.T.

MAYOR